

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.

04/15/2004

14:43

NIXON+VANDERHYE -> 7037469195

NO.449 0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ALLEN et al.

Atty. Ref.: 3830-13

Serial No. 10/751,432

TC/A.U.: 3617

Filed: January 6, 2004

Examiner: Not Yet Assigned

For: SHUTTLE CAR WITH FIXED HEIGHT DISCHARGE
BOOM (AS AMENDED)
* * * * *

April 15, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Facsimile No. (703) 746-9195
Office of Initial Patent Examinations
Filing Receipt Corrections

Sir:

REQUEST FOR CORRECTION OF FILING RECEIPT

Enclosed is a copy of the Filing Receipt for the above-identified application which contains an error. The correction is shown in red on the attached copy of the filing receipt. Please note your records accordingly. Correction of same is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Alan M. Kagen
Reg. No. 36,178AMK:jls
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

835985

04/15/2004

14:43

NIXON+VANDERHYE → 7037469195

NO.449 0002

Page 1 of 2

3830-13



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (e) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/751,432	01/06/2004	3617	770	3830-13	16	7	2

CONFIRMATION NO. 3219

23117
 NIXON & VANDERHYE, PC
 1100 N GLEBE ROAD
 8TH FLOOR
 ARLINGTON, VA 22201-4714

FILING RECEIPT

0000000012315892

Date Mailed: 04/09/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Claude R. Allen, Daniels, WV;
 Thomas S. Cushman, Beckley, WV;
 Jimmy A. Hickok, Mabscott, WV;
 Purnat L. McWhorter, Daniels, WV;
 Purnat

Assignment For Published Patent Application

Phillips Machine Service, Inc., Beckley, WV;

Domestic Priority data as claimed by applicant

This application is a CON of 10/380,061 04/02/2003
 which is a 371 of PCT/US01/28369 09/13/2001
 which claims benefit of 60/230,933 09/13/2000
 and claims benefit of 60/238,016 10/06/2000

Foreign Applications

If Required, Foreign Filing License Granted: 04/08/2004

Projected Publication Date: 07/15/2004

Non-Publication Request: No

Early Publication Request: No

Title

Shuttle car with fixed height discharge boom

Preliminary Class

105

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).